No. 63

MICHIGAN SENATE

DAILY CALENDAR

WEDNESDAY, SEPTEMBER 27, 2000 10:00 a.m.

MOTIONS _____ 1 -(Consideration postponed until Thursday, November 9.) HB 4532 Rep. Vear Weapons; firearms; transportation requirements for certain firearms; clarify. Amends sec. 231a of 1931 PA 328 (MCL 750.231a). Motion to suspend rules to place on Third Reading of Bills pending. MESSAGES FROM THE HOUSE _____ 2 _____ 555 Sen. Hammerstrom Sales tax; exemptions; vended nonalcoholic beverages; exempt. Amends sec. 4g of 1933 PA 167 (MCL 205.54g). I.E. House, November 2, 1999. Returned from House with substitute (H-1), Wednesday, November 3, 1999; laid over under the rules. Committee recommended I.E. 1194 Sen. Gougeon Sales tax; collections; collection of sales tax imposed on sale of certain aircraft and aircraft parts; require a portion to be earmarked into the aeronautics fund. Amends sec. 25 of 1933 PA 167 (MCL 205.75). I.E. House, June 8, 2000. Returned from House with substitute (H-1), Thursday, June 8; laid over under the rules. Committee recommended I.E. ____ 4 _____ **1195** Sen. North SB Use tax; collections; collection of use tax imposed on

Use tax; collections; collection of use tax imposed on sale of certain aircraft and aircraft parts; require a portion to be earmarked into the aeronautics fund.

Amends sec. 21 of 1937 PA 94 (MCL 205.111).

I.E. House, June 8, 2000.

Returned from House with substitute (H-1), Thursday, June 8; laid over under the rules.

Committee recommended I.E.

THIRD READING OF BILLS

_____ 5 ___

HB 4716 Rep. Godchaux

Criminal procedure; bail; individuals arrested for certain domestic violence crimes; prohibit release on interim bond by peace officer, and require arraignment or bond hearing by judicial officer before release, and require release condition of no contact with victim in certain circumstances.

Amends sec. 2a of 1961 PA 44 (MCL 780.582a).

House substitute (H-3).

Reported by Committee on Judiciary.

SJR M Sen. Stille

Property tax; assessments; agricultural property; impose constitutional requirement that assessment be based on existing use without regard to highest and best use.

Amends sec. 3, art. IX of the state constitution.

Reported by Committee on Farming, Agribusiness and Food Systems.

Senate substitute (S-8).

For Senate amendments, see Senate Journal No. 53, page 1055.

Defeated, Thursday, June 1; motion to reconsider vote pending.

___ 7 ____

HB 5681 Rep. Kowall

Property tax; other; maintenance credit for certain railcars; provide for.

Amends 1905 PA 282 (MCL 207.1 - 207.21) by adding sec. 13a.

I.E. House, May 18, 2000.

Reported by Committee on Finance.

Committee recommended I.E.

HB 5537 Rep. Richner

Communications; electronic transfer; uniform electronic transactions act; provide for.

I.E. House, June 20, 2000.

For House amendments, see House Journal No. 56, page 1812.

Reported by Committee on Financial Services. Committee recommended I.E.

THIRD READING OF BILLS

9

SB 1342 Sen. Rogers

Communications; telephone; levy of fines for telephone service providers when customer service is not provided in a timely manner; provide for.

Amends 1991 PA 179 (MCL 484.2101 - 484.2701) by adding sec. 309c.

Reported by Committee on Technology and Energy. Senate substitute (S-3).

For Senate amendment, see Senate Journal No. 62, p. 1646.

Committee recommended I.E.

GENERAL ORDERS

_____ 10 —

SB 836 Sen. Hammerstrom

Mental health; other; licensed professional counselors; include in list of qualified individuals to provide a second opinion determination for persons denied mental health services.

Amends secs. 100b & 705 of 1974 PA 258 (MCL 330.1100b & 330.1705).

Reported by Committee on Families, Mental Health and Human Services.

Committee recommended I.E.

- 11 -

SB 837 Sen. Johnson

Children; foster care; reference to licensed mental health professional; enact technical amendment to change cite because of amendment to mental health code.

Amends sec. 4c of 1994 PA 203 (MCL 722.954c).

Reported by Committee on Families, Mental Health and Human Services.

Committee recommended I.E.

— 12 —

SB 795 Sen. McManus

Labor; youth employment; youth employment standards; eliminate cap on number of weeks youth are allowed to be employed in certain farming operations.

Amends sec. 11 of 1978 PA 90 (MCL 409.111).

Reported by Committee on Farming, Agribusiness and Food Systems.

Senate substitute (S-1).

Committee recommended I.E.

HB 4259 Rep. Law

Businesses; charitable organizations; charitable organizations and solicitations act; revise.

Amends title & secs. 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 16, 17, 18, 20, 21 & 23 of 1975 PA 169 (MCL 400.272 et seq.); adds secs. 3a, 19, 19a, 19b, 19c, 19d, 22a, 23a, 23b & 23c & repeals secs. 14 & 22 of 1975 PA 169 (MCL 400.284 & 400.292).

I.E. House, April 29, 1999.

House substitute (H-1).

Reported by Committee on Gaming and Casino Oversight.

Senate substitute (S-1).

Committee recommended I.E.

GENERAL ORDERS

HB 4532 Rep. Vear

Weapons; firearms; transportation requirements for certain firearms; clarify.

Amends sec. 231a of 1931 PA 328 (MCL 750.231a).

I.E. House, May 19, 1999.

Reported by Committee on Hunting, Fishing and Forestry.

Senate substitute (S-1).

____ 15 _____

SB 1169 Sen. Gougeon

Natural resources; other; emergency recreational water access loan program; create for dredging due to low water levels.

Amends 1994 PA 451 (MCL 324.101 - 324.90106) by adding pt. 794.

Reported by Committee on Appropriations.

For Senate amendments, see Senate Journal No. 39, page 655.

Committee recommended I.E.

HB 4207 Rep. Cassis

Courts; district court; fifty-second district; authorize additional judgeship.

Amends sec. 8123 of 1961 PA 236 (MCL 600.8123).

House substitute (H-2).

Reported by Committee on Judiciary.

Committee recommended I.E.

------ 17 -----

SB 1283 Sen. McCotter

Elections; candidates; signature requirements for county commission; revise.

Amends sec. 11 of 1966 PA 261 (MCL 46.411).

Reported by Committee on Government Operations. Committee recommended I.E.

— 18 **—**

SB 1284 Sen. Sikkema

Education; board members; signature requirement for office of school board; revise.

Amends secs. 614, 617 & 1066 of 1976 PA 451 (MCL 380.614 et seq.).

Reported by Committee on Government Operations. Committee recommended I.E.

— 19 *—*

SB 1287 Sen. Hammerstrom

Libraries; other; signature requirement for office of library board; revise.

Amends sec. 11 of 1877 PA 164 (MCL 397.211).

Reported by Committee on Government Operations. Committee recommended I.E.

— 20 ———

SB 1220 Sen. Dingell

Natural resources; hunting; hunting from a moving vehicle; allow for certain individuals.

Amends sec. 40114 of 1994 PA 451 (MCL 324.40114).

Reported by Committee on Hunting, Fishing and Forestry.

Senate substitute (S-1).

Committee recommended I.E.

GENERAL ORDERS

____ 21 _____

SB 121 Sen. Steil

Consumer protection; home solicitation sales; request to prohibit telephone numbers from appearing on telephone solicitor list; create.

Reported by Committee on Technology and Energy. Senate substitute (S-3).

Committee recommended I.E.

____ 22 _____

SB 990 Sen. Goschka

Consumer protection; home solicitation sales; telemarketing; provide for regulation.

Amends title & secs. 1, 1a & 7 of 1971 PA 227 (MCL 445.111 et seq.).

Reported by Committee on Technology and Energy. Senate substitute (S-3).

Committee recommended I.E.

____ 23 _____

HB 5193 Rep. Geiger

Watercraft; other; certain identification posted on floating rafts; require and provide penalties for noncompliance.

Amends sec. 80163 of 1994 PA 451 (MCL 324.80163).

I.E. House, April 25, 2000.

House substitute (H-1).

Reported by Committee on Natural Resources and Environmental Affairs.

— 24 ———

HB 4803 Rep. Green

Drains; other; drain code revision; provide for.

Amends secs. 1, 2, 3, 6, 8, 10, 12, 21, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 51, 52, 53, 54, 101, 102, 103, 104, 105, 106, 151, 152, 153, 154, 155, 156, 157, 158, 161, 191, 192, 199, 200, 221, 222, 223, 241, 242, 243, 244, 245, 247, 261, 262, 263, 265, 266, 267, 269, 270, 273, 274, 275, 276, 277, 278, 279, 280, 282, 283, 301, 302, 303, 304, 306, 307, 322, 322b, 323, 324, 326, 327, 328, 391, 392, 393, 395, 421, 422, 423, 425, 429, 430, 431, 433, 463, 464, 465, 466, 467, 468, 469, 472, 473, 474, 476, 478, 483, 490, 491, 499, 513, 515, 517, 518, 519, 520, 521, 524, 525, 532, 540, 541, 601, 602, 626 & 627 of 1956 PA 40 (MCL 280.1 et seq.); adds secs. 7, 7a, 7b, 7c, 13, 14, 34, 35, 55, 56, 57, 58, 59, 107, 108, 109, 110, 111, 112, 113, 201, 275a, 277a, 329, 330, 467a, 467b, 474a, 500, 519a, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 603, 604, 605, 606, 607, 615, 616 & 617 & repeals secs. 4, 5, 11 & 22, ch. 4, ch. 6, secs. 193, 194, 195, 196, 197, 198, 246, 248, 268, 271, 272, 281, 321 & 325, chs. 14, 15 & 16, secs. 424, 426, 427, 428, 432 & 434, ch. 19, secs. 461, 470, 471, 480, 482, 485, 489a, 492 - 498, 511, 522, 523, 526 - 531, 533 - 539, 542 - 549, 551 - 583 & 621 of 1956 PA 40 (MCL 280.4 et seq.).

I.E. House, December 7, 1999.

House substitute (H-2).

Reported by Committee on Farming, Agribusiness and Food Systems.

Senate substitute (S-1).

Committee recommended I.E.

GENERAL ORDERS

— 25 ——

HB 4621 Rep. Woodward

Health; other; use of "safe needles"; require in health care facilities.

Amends 1974 PA 154 (MCL 408.1001 - 408.1094) by adding sec. 24a.

I.E. House, June 20, 2000.

House substitute (H-4).

Reported by Committee on Health Policy.

Senate substitute (S-2).

26

HB 4780 Rep. DeWeese

Health; other; use of "safe needles"; require in health care facilities.

Amends 1974 PA 154 (MCL 408.1001 - 408.1094) by adding sec. 24a.

I.E. House, June 20, 2000.

House substitute (H-3).

Reported by Committee on Health Policy.

Committee recommended I.E.

____ 27 _____

HB 5066 Rep. Richner

Torts; civil procedure; structured settlement protection act; create.

I.E. House, April 20, 2000.

House substitute (H-2).

Reported by Committee on Financial Services.

Senate substitute (S-1).

Committee recommended I.E.

____ 28 _____

HB 4996 Rep. Allen

Controlled substances; use; sale or distribution of device containing less than 8 ounces of nitrous oxide; prohibit under certain circumstances and provide penalties.

Amends title & sec. 3 of 1967 PA 119 (MCL 752.273); adds sec. 2a & repeals sec. 4 of 1967 PA 119 (MCL 752.274).

I.E. House, May 17, 2000.

House substitute (H-1).

Reported by Committee on Judiciary.

Senate substitute (S-1).

Committee recommended I.E.

____ 29 _____

HB 4997 Rep. Allen

Criminal procedure; sentencing guidelines; sentencing guidelines for crime of selling or distributing certain devices containing nitrous oxide; provide for.

Amends sec. 17, ch. XVII of 1927 PA 175 (MCL 777.17).

I.E. House, May 17, 2000.

For House amendments, see House Journal No. 44, page 981.

Reported by Committee on Judiciary.

Senate substitute (S-3).

Committee recommended I.E.

GENERAL ORDERS

— 30 ——

HB 5556 Rep. Faunce

Crimes; other; manufacturing, delivering, or possessing gamma-butyrolactone; prohibit under certain circumstances and provide penalties.

Amends secs. 7401a, 7410, 7410a & 7521 of 1978 PA 368 (MCL 333.7401a et seq.) & adds sec. 7401b.

I.E. House, May 16, 2000.

For House amendments, see House Journal No. 44, page 978.

Reported by Committee on Judiciary. Committee recommended I.E.

— 31 ———

HB 5557 Rep. Kowall

Criminal procedure; sentencing guidelines; sentencing guidelines for crime of manufacturing, delivering, possessing with intent to deliver, or possessing gamma-butyrolactone; enact.

Amends secs. 13 & 18, ch. XVII of 1927 PA 175 (MCL 777.13 & 777.18).

I.E. House, May 16, 2000.

For House amendments, see House Journal No. 44, page 979.

Reported by Committee on Judiciary.

Senate substitute (S-1).

Committee recommended I.E.

____ 32 _____

SB 1249 Sen. Johnson

Education; teachers; employment of substitute teachers; allow school districts to contract for.

Amends secs. 1231 & 1236 of 1976 PA 451 (MCL 380.1231 & 380.1236) & adds sec. 1236a.

Reported by Committee on Education.

Senate substitute (S-1).

Committee recommended I.E.

- 33 ----

HB 5272 Rep. Richardville

Education; teachers; individuals qualified to serve as substitute teachers; include individuals who have completed 90 hours of instruction at a community college.

Amends sec. 1233 of 1976 PA 451 (MCL 380.1233).

I.E. House, April 12, 2000.

For House amendment, see House Journal No. 30, page 657.

Reported by Committee on Education.

Senate substitute (S-1).

Committee recommended I.E.

SB 1313 Sen. McCotter

Occupations; real estate; disclosure of agency relationship; revise.

Amends secs. 2512 & 2517 of 1980 PA 299 (MCL 339.2512 & 339.2517).

Reported by Committee on Economic Development, International Trade and Regulatory Affairs.

Senate substitute (S-2).

Committee recommended I.E.

RESOLUTIONS

— 35 ——

SCR 29 Sen. McManus

A concurrent resolution to memorialize the Congress of the United States to grant to the President fast-track negotiating authority for future trade agreements.

Reported by Committee on Farming, Agribusiness and Food Systems.

Senate substitute (S-1).

For text of resolution, see Senate Journal No. 81 of 1999, page 1794.

Adoption pending.

— 36 ———

SCR 10 Sen. Jaye

A concurrent resolution to express support for the recognition of the Republic of China on Taiwan.

Reported by Committee on Government Operations.

For Senate amendments, see Senate Journal No. 36, page 597.

For text of resolution, see Senate Journal No. 34 of 1999, page 508.

Adoption pending.

SCR 11 Sen. Jaye

A concurrent resolution to urge the administration to press the People's Republic of China to acknowledge and respect the culture and sovereignty of Taiwan.

Reported by Committee on Government Operations.

For text of resolution, see Senate Journal No. 34 of 1999, page 508.

Adoption pending.

COMMITTEE REPORTS

_____ 38 _____

SB 959 Sen. Emmons

Local government; bonds; Michigan municipal bond authority; eliminate sunset and modify powers.

Amends title & secs. 1, 3, 5, 6, 7, 8, 16 & 20 of 1985 PA 227 (MCL 141.1051 et seq.) & repeals sec. 27 of 1985 PA 227 (MCL 141.1077).

Reported by Committee on Finance.

Senate substitute (S-1).

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

— 39 ———

SB 1300 Sen. Emmons

Single business tax; tax base; money collected in an agency capacity by certain entities; exclude from gross receipts.

Amends sec. 7 of 1975 PA 228 (MCL 208.7).

Reported by Committee on Finance.

Senate substitute (S-1).

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

COMMITTEE REPORTS

(Eligible for passage Sunday, October 1, 2000.)

SB 1382 Sen. Bullard

Income tax; deductions; contributions to a charity from a qualified pension plan; provide for.

Amends sec. 30 of 1967 PA 281 (MCL 206.30).

Reported by Committee on Finance.

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

— 41 —

(Eligible for passage Sunday, October 1, 2000.)

SB 1376 Sen. Schuette

Occupations; attorneys; procedure for issuance of license for certain individuals with certifications issued in Canada; provide for under certain circumstances.

Amends sec. 946 of 1961 PA 236 (MCL 600.946).

Reported by Committee on Economic Development, International Trade and Regulatory Affairs.

Recommendation to refer to Committee on Judiciary.

— 42 —

(Eligible for passage Sunday, October 1, 2000.)

SB 1377 Sen. Schuette

Health; occupations; procedure for issuance of health professional license for certain individuals with health professional license issued in the Canadian province of Ontario; provide for.

Amends sec. 16186 of 1978 PA 368 (MCL 333.16186).

Reported by Committee on Economic Development, International Trade and Regulatory Affairs.

Recommendation to refer to Committee on Health Policy.

_____ 43 ____

(Eligible for passage Sunday, October 1, 2000.)

SB 1379 Sen. Schuette

Local government; other; reference to "Dominion of Canada"; revise in urban cooperation act.

Amends secs. 2, 3, 4, 10 & 12 of 1967 (Ex Sess) PA 7 (MCL 124.502 et seq.).

Reported by Committee on Economic Development, International Trade and Regulatory Affairs.

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

(Eligible for passage Sunday, October 1, 2000.)

SB 1380 Sen. Schuette

Single business tax; exemptions; Canadian based trucking companies; exempt from Michigan single business tax.

Amends 1975 PA 228 (MCL 208.1 - 208.145) by adding sec. 35b.

Reported by Committee on Economic Development, International Trade and Regulatory Affairs.

Recommendation to refer to Committee on Finance.

COMMITTEE REPORTS

— 45 —

(Eligible for passage Sunday, October 1, 2000.)

SB 1381 Sen. Schuette

State agencies (existing); executive office; commission to promote relations between Michigan and Canada; create and establish an office of protocol for coordinating visits to Michigan by foreign dignitaries.

Reported by Committee on Economic Development, International Trade and Regulatory Affairs.

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

SCHEDULED MEETINGS

Appropriations - Wednesday, September 27, 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-6960)

Subcommittee -

State Police and Military Affairs - Wednesday, September 27, 9:00 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2426)

Conference Committee -

SB 694 - Wednesday, September 27, 12:30 p.m., Room 405, Capitol Building (373-7946)

Families, Mental Health and Human Services - Wednesday, September 27, 3:00 p.m., Room 100, Farnum Building (373-3543)

Government Operations - Thursday, September 28, 1:00 p.m., Room 405, Capitol Building (373-1707)

Judiciary - Wednesday, September 27, 1:00 p.m., Rooms 402 and 403, Capitol Building (373-6920)

Legislative Retirement Board of Trustees - Thursday, September 28, 3:00 p.m., Room H65, Capitol Building (373-0575)

Local, Urban and State Affairs - Wednesday, September 27, 3:00 p.m., Room 405, Capitol Building (373-1707)

Michigan Capitol Committee - Tuesday, October 3, 12:00 noon, Room 405, Capitol Building (373-0289)

Senate Fiscal Agency Governing Board - Wednesday, September 27, 3:00 p.m. or immediately following Appropriations Committee meeting, Senate Appropriations Room, 3rd Floor, Capitol Building (373-6960)

BILLS IN CONFERENCE

		Conferees		Report Agreed to	
Bill No.	Brief Title	Senate	House	Senate	House
SB 404	Health facilities; emergency medical services;	Shugars	Law	4/11/00	
	general amendments	Schwarz	DeWeese		
	_	Murphy	Schauer		
SB 694	Insurance; health; timely payment of	Schuette	Law		
	health care benefits	DeGrow	Perricone		
		Murphy	Schauer		
SB 757	Children; support; bond for individual	Bullard	Richner		
	arrested for failure to pay child support	Hammerstrom	Shulman		
		Dingell	Baird		
SB 813	Courts; court of appeals; court of	Schuette	Richner		
	appeals redistricting; provide for	Sikkema	Koetje		
	certain standards	V. Smith	Baird		
SB 967	Appropriations; higher education	Schwarz	Caul	9/19/00	
		McManus	Mead		
		Koivisto	Price		